REMARKS

Reconsideration of the above referenced application in view of the enclosed amendments and remarks is requested. Claims 1, 6, 11, and 15 have been amended. Claims 1-17 remain in the application.

ARGUMENT

Claims 1-17 are rejected under 35 USC 104(a) as being unpatentable over Mack, et al. (US Patent Application Publication 2002/0054115 A1) (hereinafter Mack) in view of Waupotitsch et al. (US Patent No. 6,518,963)(hereinafter Waupotitsch).

Embodiments of the present invention comprise a method and apparatus for creating and presenting composite images of objects on a web page for use in an e-commerce transaction. In the present invention, a custom composite image may be created by projecting a first image onto another image using a 3D mesh surface mapping function to create the composite image. As discussed in the Specification at page 5, line 11 to page 6, line 1:

> In accordance with an embodiment of the present invention, the custom text 204 may be applied to the ball in the image 106 ***such that the text 204 appears to conform to the shape of the ball***. This may be referred to "***surface mapping***" the text 204 to the ball.
>
> This may be provided with *meshes* 202, 208, and 210. ***Each mesh 202, 208, and 210 may be characterized by a surface function, e.g., a mathematical description of the surface of the mesh in space.*** Although three distinct shapes of meshes are shown in this example, any number and type of ***three-dimensional (3D) meshes*** known in the computer graphics art may be employed. For example, meshes in the shapes of cylinders, rods, cubes, sheets, ovals, other complex shapes, and so on, may be used. ***The user may select from among the meshes 202, 208, and 210, a particular mesh representing a surface that roughly approximates the shape and curvature of the area of the image 106 at which the user desires to apply the text*** 204. (emphasis added)

See also the Specification at page 6, line 20 to page 7, line 1:

> Pixels representing the text 204 may be generated and ***may be applied, according to a surface function of the selected mesh*** 302, to the portion of the image 106 representing the ball (in this example). ***Consequently, an image 402 may be produced in which the text 204 appears to wrap around the surface of the ball in the image 106, as though the text 204 were on the ball when the picture of the ball was captured.*** (emphasis added)

It is clear from the cited passages of the Specification that the present invention contemplates projecting a first image onto a second image using a 3D mesh sized and positioned so as to form the composite image. Projecting here means using a mathematical function (such as a surface function, for example) to conform the second image in the shape of the selected 3D mesh when applying it to the first image. This is very different than merely copying the first image on top of the second image in two dimensions, without changing the first image.

Mack provides a web-based system for creating composite images (e.g., images for use as bumper stickers) from clip art, user-supplied images, and text. Mack's system allows a user to select multiple images (such as text, clip art, photos, etc.) and combine them in two dimensions using a mouse and buttons on a web page. The resulting composite image can be then be printed on conventional bumper stickers and purchased by the user. In Mack's system, all images are two-dimensional (2D). Mack does not disclose mathematically projecting one image onto another image using a 3D mesh and a surface function, as that term is understood in the art of computer graphics.

The Examiner now cites Waupotitsch for the premise of teaching 3D meshes. However, Waupotitsch does not teach or suggest projecting one image onto another image according to a surface function of a 3D mesh, as currently claimed. Waupotitsch merely discloses methods for generating the 3D mesh.

Turning now to independent claim 1, the claim includes the limitation of projecting, according to a surface function of the 3D mesh image, a second image onto the first image using the selected 3D mesh image as sized and positioned to form a composite image. Neither Mack nor Waupotitsch, alone or in combination, teach or suggest mathematically projecting according to a surface function of a 3D mesh image, a second image onto the first image using the selected 3D mesh image

as sized and positioned to form the composite image. Therefore, claim 1 is allowable as presented and the rejection must be withdrawn.

As to claims 2-5, they depend from allowable claim 1. Hence, they are also allowable.

As to claims 6-10, they are allowable under the same rationale as claims 1-5 above.

Regarding independent claim 11, this claim includes the limitation of projecting, according to a surface function, a first image onto the selected area of the digital photograph using the selected mesh image to form a personalized image. As noted above, neither Mack nor Waupotitsch teach or suggest this limitation. Therefore, a prima facie case of obviousness has not been made and claim 11 is allowable as presented.

As to claims 12-14, they depend from allowable claim 11. Hence, they are also allowable.

As to claims 15-17, they are allowable under the same rationale as claims 11-14 above.

CONCLUSION

In view of the foregoing, Claims 1-17 are all in condition for allowance. If the Examiner has any questions, the Examiner is invited to contact the undersigned at (503) 264-8074. Early issuance of Notice of Allowance is respectfully requested.

Respectfully submitted,

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